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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/767,437	01/23/2001	Yu-Wen Hwang	250206-1010	2410
7590	02/02/2005		EXAMINER	
J.C. Patets 4 Venture, Suite 250 Irvine,, CA 92618			CHAN, JASON	
			ART UNIT	PAPER NUMBER
			2633	

DATE MAILED: 02/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/767,437

Applicant(s)

HWANG, YU-WEN

Examiner

Chau M Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 November 2003.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-5 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. This Office action is in response to the Paper 6 filed on 2 April 2003.

***Election/Restrictions***

2. Applicant's election without traverse of Species II corresponding to figure 3, which includes claims 1-5 in Paper No. 6 is acknowledged. Further, claims 6-37 have been cancelled.

***Priority***

3. Acknowledgment is made of Applicant's claim for priority based upon Taiwan application Ser. No. 89108699 filed on May 06, 2000.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Terahara (U.S. Pat. No. 6,211,980 B1).

As claim 1, Terahara disclose a (high-isolated wavelength management) module (denoted by 5, fig. 14), having a first, a second, a third and a fourth ports, comprising:

a plurality of (wavelength management) modules (denoted by 21-5a, 11-5a), wherein one port of one of the wavelength managing modules (such as C1 of 21-5a) connected to the first port (through 8 on left) of the high-isolated wavelength management module for receiving and carrying first optical signals with different wavelengths (such as  $\lambda$ -1,  $\lambda'$ -1), and one port of another wavelength managing module (such as C1 of 11-5a) connected to the fourth port (through 9 on right) of the high-isolated wavelength managing module for receiving and carrying second optical signals with different wavelengths (such as  $\lambda$ -2,  $\lambda'$ -2), the first and the second optical signals are transmitted in opposite direction and with different wavelengths (see fig. 14); and

a plurality of optical circulators (denoted by 21-5b, 11-5b), optically coupled among the wavelength managing modules (see fig.14, col. 16, line 56 - col. 17, line 30).

As claim 2, Terahara (fig. 14) shows a first (21-5a), a second (11-5a) and a third (40) wavelength managing modules, and the optical circulators comprise a first and a second optical circulators (such as 21-5b and 11-5b).

As claim 3, Terahara (fig. 14) shows the first wavelength managing module (21-5a) is coupled to the first port of the high-isolated wavelength managing module (5) (through 8 on left), the second wavelength managing module (11-5a) is coupled to the fourth port of the high-isolated wavelength managing module (through 9 on right), the first optical circulator ( 21-5b) is coupled between the first and the third wavelength managing

modules (21-5a and 40, respectively), and the second optical circulator (11-5b) is coupled between the second and the third wavelength managing modules (11-5b and 40, respectively).

***Allowable Subject Matter***

6. Claims 4 and 5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kawazawa et al. (U.S. Pat. No. 6,377,373 B1) is cited to show optical system.

Iwano et al. (U.S. Pat. No. 6,313,933 B1) is cited to show bidirectional WDM transmission apparatus.

Jones et al. (U.S. Pat. No. 6,061,484) is cited to show add/ddrop multiplexer.

Jones et al. (U.S. Pat. No. 6,310,994 B1) is cited to show add/drop multiplexer routing signals according to wavelength.

Aina et al. (U.S. Pat. No. 6,160,660) is cited to show bidirectional optical transmission system for dense interleaved WDM.

Baker (U.S. Pat. No. 5,452,124) is cited to show unidirectional amplification for bi-directional transmission using WDM.

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Xu et al. (U.S. Pat. No. 6,381,049 B1) is cited to show multi-port optical multiplexer element.

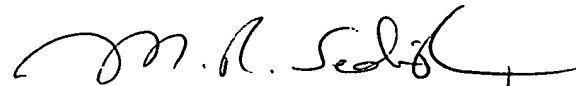
Duck et al. (U.S. Pat. No. 5,748,363) is cited to show wavelength dependent crossover system for bi-directional transmission.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chau M. Nguyen whose telephone number is 703-305-8965. The examiner can normally be reached on Mon-Fri from 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan can be reached on 703-305-4726. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

C.M.N.  
Jun. 25, 2004

  
M.R. SEDIGHIAN  
Primary Examiner  
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